

ACTION TAKEN REPORT

Terms of Reference of Justice Usha Mehra Commission	Observation/Recommendation of the Commission	Action Taken
<p>I. To inquire into various aspects of the shocking incident of rape and brutal assault of a young woman in Delhi on 16.12.2012; identify the lapses, if any, on the part of the police or any other authority or person that contributed to the occurrence; and fix responsibility for the lapses and negligence on the part of the police or any other authority or person.</p>	<p>(a) There is no coordination between the Delhi Traffic Police and the Transport Department of GNCTD (Govt. of National Capital Territory of Delhi).</p>	<p>(a) Directions have been issued to Govt. of NCT of Delhi & Delhi Police to meet once a week to sort out issues of co-ordination. To ensure co-ordination on an on-going basis, the Government have constituted a Special Task Force under Home Secretary which has already met twice.</p>
	<p>(b) Functioning of the State Transport Authority was found to be unsatisfactory.</p>	<p>(b) As part of an earlier internal enquiry by the MHA, the Secretary, State Transport Authority and Asstt. Secretary, STA are being proceeded against. The Assistant Secretary, State Transport Authority has already been placed under suspension.</p>
	<p>(c) Traffic Police has not been performing their duties as enjoined by law.</p>	<p>(c) After an earlier internal enquiry of the MHA, Departmental</p>

		Proceedings have been initiated against the Jt.C.P.(Traffic), the DCP(Traffic) and the ACP(Traffic).
	(d)The Enforcement Team of the Transport Department stationed along the route taken by the bus did not stop this bus even though the bus was having tinted glasses, curtains and the conductor was seeking passengers in violation of permit conditions.	(d) Government have issued directions to the Govt. of NCT of Delhi to take action against the Enforcement Team of Transport Department of GNCTD which was deployed on the route.
	(e) The Commission found that the School Authorities and the private company who had hired the bus have shown utter negligence by hiring the bus without checking whether it had valid permit or not. Thus they have compromised on the safety of school children as well as employees of the company particularly women.	(e) The Government have issued directions to the GNCTD to take action against the School Management and the private company.
	(f) Guidelines/instructions should be issued that the public or any police personnel may remove injured persons to the nearest hospital and it should be mandatory on	(f) The Government have issued direction to GNCTD & Delhi Police in this regard. The Govt. of NCT of Delhi has already

	<p>the part of those hospitals not to delay medical treatment and give immediate necessary treatment without waiting for arrival of police. The hospitals should include all those private hospitals that have been given land on subsidised rates.</p>	<p>started an Ambulance Service. A provision (Section 357 C of Cr P C) has been made in the Criminal Law (Amendment) Act, 2013 making it mandatory for all hospitals, whether public or private, to give treatment to the victims of sexual assault and such other offences, without waiting for the arrival of the Police.</p>
	<p>(g) Directions should be issued to Police Commissioner who in turn should issue Standing Orders to all Police Stations that no member of the public, who helps any victim in removing him/her to the hospital, be harassed or detained for questioning by the Police.</p>	<p>(g) The Government have issued directions to Delhi Police Commissioner in this regard.</p>
	<p>(h) The Commission observed certain laxity on the part of the Inspector/ Sub Inspector/ Constable level officers of Delhi Police who failed to respond in an effective manner during the hours immediately after the Gang Rape incident.</p>	<p>(h) Departmental proceedings have been initiated against 6 senior IPS/ DANIPS officers & 14 other ranks of Delhi Police.</p>

<p>II. To suggest measures to improve the safety and security of women, particularly in the National Capital Territory of Delhi and National Capital Region.</p>	<p>(a) Creation and implementation of Distress Signal Service for Women.</p>	<p>(a) Necessary directions have been issued to Police Commissioner, Delhi. This Service has been included in the "Safe City Project" proposed for Delhi Police by the Government.</p>
	<p>(b) Implementation of One Stop Centre for Rape Complainants</p>	<p>(b) The Government have issued directions to GNCTD to set up such Centre in at least one Hospital in every district of GNCTD. The Govt. have also issued necessary directions to the Ministry of Health & Family Welfare.</p>
	<p>(c) Amendments in Cr.PC and Evidence Act to treat the rape victim's first Statement under Section 164 of Cr. PC as her Examination-in- Chief.</p>	<p>(c) The provision {Sec 164 (5A)(b)} of CrPC to the effect that the statement recorded under Section 164 of CrPC, of a person, who is temporarily or permanently mentally or physically disabled, shall be considered a statement in lieu of examination-in-chief, as specified in section 137 of the</p>

		<p>Indian Evidence Act, 1872 such that the maker of the statement can be cross-examined on such statement, without the need for recording the same at the time of the trial, has been included by way of passing of Criminal Law (Amendment) Act, 2013.</p>
	<p>(d) Installation of CCTV Cameras across the city and in Police Stations, Liquor Vends, etc.</p>	<p>(d) The Government have already approved installation of 5312 CCTV cameras in Delhi, out of which 2677 cameras have been installed at vital locations e.g. Supreme Court, High court and busy market places. The on-going project being implemented by ECIL will be further augmented by installation of more CCTV Systems across the city and border check-posts including Police Stations and Liquor Vends.</p>

	(e) Separation of Investigative wing from Routine Police Force	(e) This is being implemented in the light of Prakash Singh PIL judgement of the Supreme Court.
	(f) Better Policing – Delhi Police should have more PCR Vans and Ambulances attached with the PCR Vans. 1/3 rd of the Force should be women. Special female police teams to be created. Providing mobile phones to Beat Constables.	(f) The Government has converted 522 posts into women constable posts for which recruitment process has already started. Additionally, 1084 posts of women personnel for Delhi Police have been created. 370 PCR vans have been provided. The Government have issued advisory to Delhi Police to redeploy all women personnel from other offices to Police Stations & while filling up future vacancies, women should be encouraged to join so that their numbers in police goes upto atleast 1/3 rd of the total strength. The Government have also issued direction to Delhi Police to provide mobile Phones to all beat

	constables.
(g) Blurring of Police jurisdiction – registration of zero FIRs – Non registration of FIRs should be made an offence.	(g) The system of zero FIRs is already in place in Delhi. All police officers have been directed to take immediate action to apprehend the accused and provide medical and other assistance without going into jurisdictional issues. Regarding making of non registration of FIRs as an offence, by way of passing of Criminal Law (Amendment) Act, 2013, a new Section 166A has been inserted in IPC to make non-compliance of Section 154 of CrPC a cognizable offence.
(h) Crime mapping/better street lighting	(h) The Special Task Force has already identified vulnerable routes as well as vulnerable bus routes and instructions have been issued to Delhi Police to ensure better policing. GNCTD has been asked to provide

		adequate street lighting along these vulnerable stretches.
	(i) Gender Sensitisation – Gender sensitisation of Police at all levels should be done. Education curriculum should be revisited to add moral science classes also. The need is to change the mindset of populace at large and media must be involved.	<p>(i) The Government have already issued directions to Delhi Police for imparting Gender Sensitisation training to all its personnel at the time of induction followed by regular refresher courses. With regard to education curriculum, the Government, under the aegis of AICTE, have issued directions to educational institutions, to develop and design modules to encourage gender sensitization. A Task Force, under the aegis of UGC, has also been constituted to ensure freedom, safety and security of girls and women in all higher educational institutions.</p> <p>The MHA have also requested the concerned Ministry to include in education</p>

		curriculum, courses on gender sensitization and moral sciences.
	(j) Community Policing & Neighbourhood watch	(j) The Government have issued necessary directions to Delhi Police.
	(k) Government to implement Gender Empowerment Policy to create more independent economic opportunities for women and uplift of the status of women	(k) The Government have taken up with the concerned Ministry.
	(l) Enhancement of Public Transport & sharing of information between Transport authorities and Police	(l) The Government have taken up with GNCTD & Delhi Police.
	(m) Regulation of Liquor Vends and installation of CCTV cameras inside & outside these vends	(m) The Government have taken up with GNCTD.
	(n) Creation of toilet facilities in rural areas and JJ colonies	(n) The Government have taken up with GNCTD.
	(o) Highway policing to be intensified. Installation of cameras at Toll Collection points and adoption of High Security Number Plate System.	(o) The Government have taken up with GNCTD and Delhi Police.

